

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

CSX TRANSPORTATION, INC.,)
)
)
 Plaintiff,)
)
)
v.) Case No. 2:18-cv-530
)
)
NORFOLK SOUTHERN RAILWAY)
COMPANY, *et al.*,)
)
 Defendants.)

**NORFOLK SOUTHERN RAILWAY COMPANY'S MOTION IN LIMINE
TO EXCLUDE EVIDENCE AND ARGUMENT THAT
NPBL'S SWITCH RATE IS UNREASONABLE**

Defendant Norfolk Southern Railway Company (“NS”), by counsel, submits this Motion in Limine under Federal Rule of Evidence 402 to prohibit Plaintiff CSX Transportation, Inc. from offering at trial any evidence or argument that the \$210 line haul switch rate charged by the Norfolk and Portsmouth Belt Line Railroad Company is unreasonable, “prohibitively expensive,” “excessive,” or “exorbitant.” As set forth in the accompanying memorandum, NS respectfully requests that the Court grant this Motion and any other relief the Court deems appropriate.

Dated: May 4, 2021

Respectfully submitted,

NORFOLK SOUTHERN RAILWAY COMPANY

/s/ Alan D. Wingfield _____

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